

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SHANE K. HOPKINS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-870-SLR
	)	
JOHN PUSEY, JOSEPH SMITH,	)	
DAVID PIERCE, LISE MERSON,	)	
JUDITH MULLEN, DREWRY FENNELL,	)	
M. JANE BRADY	)	
	)	
Defendants.	)	

**MOTION TO WITHDRAW  
REPRESENTATION OF STATE DEFENDANTS**

COMES NOW the undersigned counsel and respectfully requests that this Honorable Court enter an order, substantially in the form attached hereto, withdrawing her entry of appearance and answer on behalf of State defendants John Pusey, Joseph Smith, David Pierce, Lise Merson and M. Jane Brady. Deputy Attorney General Stacey Xarhoulakos has entered an appearance in this lawsuit on October 23, 2006, and will remain as counsel for the State defendants.

WHEREFORE, the undersigned counsel respectfully requests that this Honorable Court grant the Motion to Withdraw Representation.

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Lisa Barchi  
\_\_\_\_\_  
Lisa Barchi, I.D. # 3927

Deputy Attorney General  
820 N. French Street  
Wilmington, DE 19801  
(302) 577-8400  
Attorney for State Defendants

Dated: January 11, 2007

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SHANE K. HOPKINS,	)	
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Plaintiff,	)	
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v.	)	C.A. No. 05-870-SLR
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JOHN PUSEY, JOSEPH SMITH,	)	
DAVID PIERCE, LISE MERSON,	)	
JUDITH MULLEN, DREWRY FENNELL,	)	
M. JANE BRADY	)	
	)	
Defendants.	)	

**7.1.1 CERTIFICATE OF COUNSEL**

The undersigned counsel hereby certifies, pursuant to Rule 7.1.1 of the Local Rules for the District Court of Delaware, that she is, as a practical matter, unable to discuss the subject of the Motion to Withdraw Representation with the Plaintiff because the Plaintiff is an incarcerated inmate in a prison. Defense counsel assumes that the Plaintiff opposes the Motion to Withdraw Representation.

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Lisa Barchi  
\_\_\_\_\_  
Lisa Barchi, I.D. # 3927  
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820 N. French Street  
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JOHN PUSEY, JOSEPH SMITH,  
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JUDITH MULLEN, DREWRY FENNELL,  
M. JANE BRADY

Defendants.

C.A. No. 05-870-SLR

**ORDER**

Upon the Motion to Withdraw Representation of State defendants; and it appearing that good and sufficient notice of the Motion to Withdraw Representation has been given; and after due deliberation thereon:

**IT IS HEREBY ORDERED** that the Motion to Withdraw Representation of State defendants is **GRANTED**.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
J.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 11, 2007, I electronically filed with the Clerk of Court *Motion to Withdraw representation of State Defendants* using CM/ECF, which will send notification of such filing to the following: John W. Shaw, Esquire. I hereby certify that on January 11, 2007, I have mailed by United States Postal Service, the document to the following non-registered participant:

Shane Hopkins  
SBI # 253918  
Delaware Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977

/s/ Lisa Barchi

Lisa Barchi # 3927  
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